

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

Filed: January 2, 2024

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CHRISTOPHER LAGOS, *

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Petitioner, *

No. 19-436V

*

v. *

Special Master Gowen

*

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

*

Respondent. *

* * * * *

Anne C. Toale, Maglio Christopher and Toale, Sarasota, FL, for petitioner.

Catherine E. Stolar, U.S. Dept. of Justice, Washington, D.C., for respondent.

ORDER CONCLUDING PROCEEDINGS¹

On March 22, 2019, Christopher Lagos (“petitioner”) filed a claim in the National Vaccine Injury Compensation Program.² Petition (ECF No. 1). Petitioner alleged that as a result of receiving a tetanus-diphtheria, and acellular pertussis (“Tdap”) vaccine, he suffered from chronic inflammatory demyelinating polyneuropathy (“CIDP”). *Id.* Petitioner filed medical records to accompany his petition.

On December 23, 2022, respondent filed the Rule 4(c) report, recommending against compensation. Respondent’s (“Resp’t”) Report (“Rept.”) ECF No. 58. On December 29, 2023, the parties filed a Stipulation of Dismissal, stating that “the parties hereby stipulate pursuant to Vaccine Rule 21(a) that this action shall be dismissed.” Joint Stipulation of Dismissal (ECF No. 76).

¹ Pursuant to the E-Government Act of 2002, see 44 U.S.C. § 3501 note (2012), **because this opinion contains a reasoned explanation for the action in this case, I intend to post it on the website of the United States Court of Federal Claims.** The Court’s website is at <http://www.uscfc.uscourts.gov/aggregator/sources/7>. Before the opinion is posted on the Court’s website, each party has 14 days to file a motion requesting redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). An objecting party must provide the Court with a proposed redacted version of the opinion. *Id.* **If neither party files a motion for redaction within 14 days, the opinion will be posted on the Court’s website without any changes. *Id.***

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-10 to 34 (2012) (hereinafter “Vaccine Act” or “the Act”). Hereinafter, individual section references will be to 42 U.S.C. § 300aa of the Act.

Accordingly, pursuant to Vaccine Rule 21(a), the above-captioned case is dismissed without prejudice. The Clerk of the Court is hereby instructed that **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

IT IS SO ORDERED.

s/Thomas L. Gowen

Thomas L. Gowen
Special Master